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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 19 September 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I regret to inform you that, in the absence of any serious measures of accountability to bring an end to its more than half-century occupation, Israel, the occupying Power, continues with its deliberate and systematic breaches of international law, including humanitarian and human rights law, grossly violating the human rights of the Palestinian people, including their right to life and liberty, and methodically destroying the two-State solution for peace.

For the twenty-sixth week in a row, Palestinian civilians, including women, men and children, in the Gaza Strip, have continued to exercise their fundamental rights of expression, assembly and association by peacefully protesting in the context of the "Great Return March" against Israeli occupation, blockade, oppression and dispossession. These civilian protests continue to be met with lethal force by the occupying Power, in utter violation of international law and in grave breach of Israel's responsibilities and obligations under the Fourth Geneva Convention.

Israeli occupying forces have persisted with their use of live weaponry against these civilians, with the clear aim of repressing the protests and silencing their calls for freedom and justice. In the span of 24 hours, on 17 and 18 September, the Israeli occupying forces killed four Palestinians in Gaza, including peaceful protesters, and injured 26 other Palestinians with gunshot wounds. Those killed were Mohammed Ahmad Abu Naji, age 34, Ahmad Mohammed Muhsin Omar, age 20, Naji Jamil Abu Assi, age 18, and Alaa Ziyad Abu Assi, age 21. Also, on 15 September, a 16-year-old boy, Suhaib Abu Kashif, succumbed to wounds he sustained on 3 August when Israeli forces shot him with a live bullet that severed his spinal cord.

This brings the total number of Palestinians killed since the Great Return March began on 30 March to at least 174 Palestinians, including children, and the total number of injured to more than 18,000 persons.

Such intentional killing and injuring of Palestinian civilians has been a trademark of the Israeli occupation and its soldiers, who routinely engage in brutalizing and terrorizing the Palestinian civilian population. In occupied East Jerusalem, occupying forces shot dead a Palestinian man from the Qalandiya refugee

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camp, Mohammed Yousef Alayan, age 26, while he was defending himself from an Israeli settler, and prevented medics from reaching his body. Also, during the early hours of the morning on 18 September, Israeli forces stormed the Arimawi family home in the village of Bayt Rima, violently assaulted Mohammed Zaghloul Arimawi, age 24, while he was still in bed, ripped his clothes off, savagely beat him until he lost consciousness, then transported him to a detention facility where he died a few hours later.

Mohammed's death is the latest addition to a long list of crimes committed by the occupying Power, including against Palestinian detainees and prisoners, so many of whom are subjected to physical and psychological torture, direct execution and deliberate medical neglect. Such illegal and inhumane practices have caused, since 1967, the death of at least 217 Palestinians in Israeli custody.

Against this backdrop of intentional killings, Israel also continues its pursuit of other illegal measures aimed at suffocating the rest of the Palestinian civilian population and depleting their coping capacities. This is proved daily through the imposition of unlawful and destructive colonial policies intended to impose widespread misery and displace and ethnically cleanse Palestinian inhabitants off their native lands.

Such systematic violations include, inter alia, the continued construction and expansion of Israeli settlements and the construction of the Wall in Occupied Palestine, including East Jerusalem — with settlement construction starts having increased threefold in the second quarter of 2018 — as well as the demolition of Palestinian homes and properties; forced evictions of families and communities; land confiscation; the fragmentation of the territory and imposition of an apartheid regime, including through hundreds of checkpoints and a permit regime institutionalizing racist and discriminatory policies against Palestinians; and the imprisonment, detention and torture of thousands of Palestinians, even for simply engaging in peaceful protest against this vile and illegal foreign occupation.

All of this is being committed by the occupying Power in grave breach of the Fourth Geneva Convention and the Charter of the United Nations, countless relevant United Nations resolutions and all human rights instruments, amounting to war crimes and crimes against humanity. While it is nearly impossible to document every violation, whether committed by the Israeli Government or its occupying forces or illegal settlers, the incidents described below are only two recent examples of such daily and constant brutality meted out by Israel, the occupying Power, against our people.

On 18 September in occupied East Jerusalem, hundreds of extremist Israeli settlers protected by Israeli so-called police and occupying forces stormed Haram al-Sharif, carrying out provocative tours in the mosque's courtyards. The Israeli forces assaulted Palestinian worshippers, mosque guards and staff and detained five Palestinians, while four Palestinians required hospitalization following violent beatings.

We call once again for the cessation of all provocations, incitement and aggression against Haram al-Sharif and call for respect for the sanctity of this holy site. Israel, the occupying Power, must also respect the historic status quo at this sacred site and cease all actions that are inflaming the situation and risk exacerbating heightened religious sensitivities, with potentially grave consequences.

I have also repeatedly highlighted the worrying and urgent case of Khan al-Ahmar in past letters in an ongoing attempt to draw international attention to the imminent demolition and ethnic cleansing of the village by occupation forces and as an appeal for action to prevent this war crime.

In follow-up to my previous letter in this regard, I must inform you that Israel has begun implementing its plans to forcibly expel the 181 inhabitants of Khan al-Ahmar and destroy the entire village, including all Palestinian civilian and livelihood structures. The explicit intent of these criminal and cruel acts is to erase and eradicate the Palestinian presence and continuity on the land and to facilitate Israel's illegal settlement expansion in the area, in grave breach of international law and numerous United Nations resolutions, including Security Council resolution 2334 (2016), with the ultimate aim of destroying the territorial contiguity of the occupied West Bank and the physical possibility of the two-State solution.

Faced with such threats, dozens of Palestinian, Israeli and international human rights activists have stood firm, spending nights in Khan al-Ahmar in support of the vulnerable Bedouin community. The international community, including through the United Nations and the European Parliament, has expressed its condemnation of Israel's reckless behaviour and warned that the demolition of Khan al-Ahmar and the forcible transfer of its inhabitants would amount to a war crime.

In this regard, in a statement made today, Eid Abu Khamis, Community Leader of Khan al-Ahmar, stressed the families' fears that the only home they had ever known for 53 years would be demolished and acknowledged that international support over past years was likely among the only reasons why the community had so far survived demolition threats, underscoring the importance of international insistence on respect for international law. Moreover, he stressed the community's position: "We want to stay where we are or go back to our own lands in the Naqab Desert, which our family was forced out of by Israel in 1952. We love living in the desert and we don't want to give up our Bedouin culture or our way of life, to have to go and live in a town, next to a garbage dump or sewage plant."

While we welcome the international expressions of support, it is clear that they must be urgently complemented with concrete action if Khan al-Ahmar and the future of the two-State solution are to be salvaged. Calls for respect for the rule of law need to be followed by concrete action to hold perpetrators accountable, ensure respect for international law and prevent the recurrence of such crimes. This is essential vis-à-vis the Israeli government, which has claimed in a recent letter to the Israeli "Supreme Court" that it is "allowed to ignore the directives of international law in any field it desires", admitting that it considers itself as a State above the law.

We reiterate our call to the international community, particularly the Security Council, to fulfil its responsibilities, including with regard to ensuring the protection of civilians in all circumstances. As we have stated in the past, the Palestinian people cannot remain the exception to the international commitments to and obligations under international law, including to protect civilians from such atrocities and grave breaches.

Simultaneously, the Security Council must exert serious efforts to uphold its Charter duty for the maintenance of international peace and security and must act forthwith to implement its relevant resolutions. Only this will take us beyond crisis management and contribute to the realization of a genuine solution that brings an end to the Israeli occupation that began in 1967, justly resolves all core issues, including the plight of the Palestine refugees, in line with the relevant United Nations resolutions, and enables the Palestinian people to exercise their inalienable rights, including to self-determination in an independent and sovereign State of Palestine, with East Jerusalem as its capital.

The present letter is in follow-up to our 646 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 7 September 2018 (A/ES-10/789-

S/2018/823), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations